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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,321	06/13/2000	Brandon William Porter	TM00-003.US	7391

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EXAMINER

BOUTAH, ALINA A

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 08/15/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/592,321

Applicant(s)

PORTER ET AL. 

Examiner

Alina N Boutah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> . | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the use of cookies must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: 406 of figure 4. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: state, application, legal entity, etc.

Claim Objections

Claims 1, 2, 11-13 are objected to because of the following informalities: the claim language is confusing as to preclude a reasonable search of the prior art by the examiner. A correction is highly suggested.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 11, 14, and 15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. It is unclear as to how the "state" is selected in claims 1, 11, and 15. Also, the specification fails to disclose using a SSL and HTTPS to access a second computer.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 14 recites the limitation "the telephone" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-8, 10-13, and 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over IETF RFC 2109 in view of USPN 6,154,528 issued to Bennett, III et al. (hereby Bennett).

Regarding claim 1, the IETF teaches a method of using a telephone identifying information to preserve state for applications over a telephone interface using a first computer, the method comprising: selecting a state comprising of a plurality of cookies (State and Session); and automatically providing a cookie to an application using a first computer, the providing responsive to receiving a request over an interface to initiate an application (Abstract; State and Sessions). However, the IETF fails to explicitly teach the state being associated with a user's

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profile; the interface being a telephone interface; and identifying a user profile using the first computer and the telephone identifying information.

Bennett teaches identifying a user profile using the first computer and the telephone identifying information (col. 1, lines 33-44);

selecting a state associated with the user profile (col. 3, lines 28-31; lines 55-65);

automatically providing a subset of the plurality of cookies to the application using the first computer, the providing responsive to receiving a request over the telephone interface to initiate an application (Abstract).

At the time the invention was made, one of ordinary skill in the art would have been motivated to combine the teaching of IETF with the teaching of Bennett by utilizing cookies so that the service provider would not be required to store and maintain user's profiles (col. 2, lines 45-52), thus enhancing the system's efficiency.

Regarding claim 2, the IETF teaches the method of claim 1, wherein the automatically providing comprises initiating the application on the first computer by retrieving the application using a HTTP request from a server and including the HTTP request at least one "cookie" header corresponding to at least one cookie in the subset of the plurality of cookies (4.2.1).

Regarding claim 3, the IETF teaches the method of claim 1, wherein the application has a corresponding uniform resource indicator (URI) and wherein the subset of the plurality of cookies is selected according to applicability of each cookie in the plurality of cookies to the URI (page 1, 3rd paragraph under Terminology; 4.3.4).

Regarding claim 4, the IETF teaches the method of claim 3, wherein the applicability of a cookie for inclusion in the subset is determined according to IETF RFC 2109 (RFC 2109).

Regarding claim 5, the IETF teaches the method of claim 3, wherein the applicability of a cookie for inclusion in the subset is determined according to policies in a state management standard (page 2, under "State and Session").

Regarding claim 6, the IETF teaches the method of claim 1, further comprising storing a new cookie in the plurality of cookies, the new cookie received from the application as part of a hypertext transfer protocol (HTTP) request for a uniform resource indicator (URI) (4.3.3).

Regarding claim 7, the IETF teaches the method of claim 6, wherein the storing occurs responsive to verification of the new cookie by the first computer according to IETF RFC 2109 (RFC 2109).

Regarding claim 8, the IETF teaches the method of claim 6, wherein the storing occurs responsive to verification of the new cookie by the first computer according to policies in a state management standard (page 2, under "State and Session").

Regarding claim 10, the IETF fails to teach the method of claim 1, wherein the identifying comprises creating a user profile on the first computer. Bennett teaches creating a

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user profile on the first computer (col. 2, lines 37-40). At the time the invention was made, one of ordinary skill in the art would have been motivated to combine the teaching of IETF with the teaching of Bennett by utilizing cookies so that the service provider would not be required to store and maintain user's profiles (col. 2, lines 45-52).

Regarding claim 11, this is similar to claim 1, therefore is rejected under the same rationale.

Regarding claim 12, the IETF fails to teach the apparatus of claim 11, wherein the apparatus supports a second application, the application provided by a first legal entity and the second application provided by a second legal entity. Bennett teaches a first and second legal entities providing a first and second application (col. 6, lines 29-31). At the time the invention was made, one of ordinary skill in the art would have been motivated to employ and first and second legal entities in order to allow the system to handle multiple users and multiple telephones, thus expanding the systems capability.

Regarding claim 13, the IETF fails to teach the apparatus of claim 12, wherein the plurality of cookies includes at least a first cookie set by the second application, and wherein the subset of the plurality of cookies does not include at least a first cookie. Bennett teaches a first cookie set by the second application and wherein the subset of the plurality of cookies does not include at least a first cookie (col. 7, lines 5-16). At the time the invention was made, one of ordinary skill in the art would have been motivated to incorporate the teaching of Bennett into

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the teaching of the IETF in order to prevent an application provided by the first cookie from accessing the application provided by the second cookie, therefore, providing security for the system.

Claim 15 is similar to claim 1, therefore is rejected under the same rationale.

Regarding claim 16, the IETF teaches the computer program of claim 15, wherein the providing comprises including the subset of the plurality of cookies as part of an HTTP request to retrieve the application from a computer system (4.2.1).

Regarding claim 17, the IETF teaches the computer program of claim 16, wherein each cookie in the plurality of cookies associated with a corresponding domain, wherein the HTTP request include an HTTP request host and wherein the subset of the plurality of cookies comprises each cookie in the plurality of cookies with a corresponding domain similar to the HTTP request host (4.2.1).

Regarding claim 18, the IETF fails to teach the computer program of claim 15, wherein the second set of instruction further comprises a set of instructions for creating a new user profile responsive to receiving telephone identifying information not associated with an existing user profile. Bennett teaches a set of instructions for creating a new user profile responsive to receiving telephone identifying information not associated with an existing user profile (col. 1, lines 33-44). At the time the invention was made, one of ordinary skill in the art would have been

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motivated to employ a set of instructions for creating a new user profile in order to allow new user to access to the application, thus expanding the system's capability.

Regarding claim 19, the IETF fails to teach the computer program of claim 15, wherein the second set of instruction further comprises a set of instructions for creating a temporary user profile responsive to receiving telephone identifying information not associated with an existing user profile and wherein the computer program further comprises a fifth set of instructions for deleting the temporary user profile receiving a signal from the telephone interface signaling an end of a telephone call. Bennett teaches a set of instructions for creating a temporary user profile responsive to receiving telephone identifying information not associated with an existing user profile and wherein the computer program further comprises a fifth set of instructions for deleting the temporary user profile receiving a signal from the telephone interface signaling an end of a telephone call (col. 3, lines 28-36). At the time the invention was made, one of ordinary skill in the art would have been motivated to employ a set of instructions for creating and deleting a temporary user profile in order to allow guest users to access the computer system and deleting the guest user's profile in order to make room for other users, thus increasing the system's efficiency.

Claims 9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over IETF RFC 2109 in view of USPN 6,154,528 issued to Bennett, III et al. (hereby Bennett) in further view of USPN 5,799,063 issued to Krane.

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Regarding claim 9, the IETF and Bennett fail to expressly teach the method of claim 1, wherein the method further comprises verifying a password for the user profile received over the telephone interface prior to the selecting. Krane teaches verifying a password for the user profile received over the telephone interface prior to the selecting (col. 6, lines 4-17). At the time the invention was made, one of ordinary skill in the art would have been motivated to incorporate the teaching of Krane into the teachings of the IETF and Bennett in order to prevent unwanted user from accessing another user's profile, therefore providing security for the system.

Regarding claim 14, the IETF teaches a computer system to preserve state for applications over a telephone interface, the computer system comprising: a state comprising of plurality of cookies and automatically providing a subset of cookies over the internet when retrieving an application (Abstract; State and Sessions).

The IETF fails to teach a control subsystem including at least one program for identifying a user profile according to the telephone identifying information, the user profile having a corresponding state, and automatically providing a subset of the plurality of cookies over the internet interface when retrieving the application.

Bennett teaches a control subsystem including at least one program for identifying a user profile according to the telephone identifying information (col. 1, lines 33-44), the user profile having a corresponding state (col. 3, lines 28-31; lines 55-65), and automatically providing a subset of the plurality of cookies when retrieving the application (Abstract).

IETF and Bennett fails to teach an internet interface including at least one program to access a second computer system using one or more of a SSL protocol, a HTTP, and a HTTPS,

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the second computer system including an application; and a telephone interface to send and receive audio signals to and from the telephone and to receive a telephone identifying information corresponding to the telephone; and a control subsystem to control the internet interface and the telephone interface.

Krane teaches an internet interface including at least one program to access a second computer system using one or more of a SSL protocol, a HTTP, and a HTTPS, the second computer system including an application (figure 1); and a telephone interface to send and receive audio signals to and from the telephone and to receive a telephone identifying information corresponding to the telephone (figure 1); and a control subsystem to control the internet interface and the telephone interface (figure 1).

At the time the invention was made, one of ordinary skill in the art would have been motivated to combine the teaching of the IETF, Bennett and Krane by utilizing cookies so that the service provider would not be required to store and maintain user's profiles (Bennett: col. 2, lines 45-52), and employing an internet interface a telephone interface, and a control subsystem in order to allow developers to store and access user's state information, thus facilitating in managing user's profile information.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. USPA 2003/0021259 by MILOSLAVSKY et al.
2. USPN 5,694,459 issued to Backaus et al.

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3. D. Kristol, Bell Laboratories, Lucent Technology. "HTTP Proxy State Management Mechanism," Nov. 1998, pages 1-19.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N Boutah whose telephone number is (703) 305-5104. The examiner can normally be reached on Monday-Friday (8:30 am-5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703) 308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-9112 for regular communications and (703) 305-3718 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

ANB

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August 8, 2003

KENNETH R. COULTER
PRIMARY EXAMINER

Kenneth R. Coulter